

MEETING OF CREDITORS

In re:

AMILCAR NORAT COLLAZO

Case No. 18-03605-BKT

Chapter 13

Attorney Name: ALEXANDRA BIGAS VALEDON *

I. Appearances			Date & Time: 8/1/2018 1:52:00PM
Debtor	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent	[X] R [] NR LV: 0.00
Joint Debtor	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	<input checked="" type="checkbox"/> This is debtor(s) 1 Bankruptcy filing.
Attorney for Debtor	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent	Creditors:
<input type="checkbox"/> Prose <input type="checkbox"/> Appearing:			
II. Oath Administered			
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
III. Plan			
Date: 07/23/2018 Base: \$30,000.00 Payments 0 made out of 1 due.			
Confirmation Hearing Date: 9/7/2018 2:30:00PM			
Evidence of Pmt shown: Yes			
Attorney's fees as per R. 2016(b)			
\$3,000.00 - \$500.00 = \$2,500.00			
IV. Status of Meeting			
<input checked="" type="checkbox"/> Closed <input type="checkbox"/> Not Held <input type="checkbox"/> Held/Continued <input type="checkbox"/> Held/Not Closed			
<input type="checkbox"/> Continued			
Continued Date:			
Comments:			
<input type="checkbox"/> M.T.D. to be filed by Trustee: Debtor(s) failed to: <input type="checkbox"/> Appear: <input type="checkbox"/> Commence payments <input type="checkbox"/> Keep payments current <input type="checkbox"/> does (do) not qualify as a debtor (§109): <input type="checkbox"/> MTD Already filed, see Docket: <input type="checkbox"/> Other:			

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(Cont.)

Trustee's Report on Confirmation

 FAVORABLE UNFAVORABLE

<input type="checkbox"/> Feasibility	<input type="checkbox"/> No provision for secured creditor(s)
<input type="checkbox"/> Insufficiently funded	<input checked="" type="checkbox"/> Tax returns missing
<input type="checkbox"/> Unfair discrimination	<input checked="" type="checkbox"/> State - years 2017 State Tax Returns
<input type="checkbox"/> Fails disposable income	<input type="checkbox"/> Federal - years
<input type="checkbox"/> Fails liquidation value test	
<input type="checkbox"/> Insurance quote	

Pending/Items/ Documents:

<input checked="" type="checkbox"/> DSO Recipient's Information	<input type="checkbox"/> Monthly reports for the months
Pending Waiver.	
<input checked="" type="checkbox"/> Evidence of being current with DSO	<input type="checkbox"/> Public Liability Insurance
<input type="checkbox"/> Evidence of income	<input type="checkbox"/> Premises <input type="checkbox"/> Vehicle(s): <input type="checkbox"/> Licenses issued by:

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Trustee's objection to confirmation

- Objection to Confirmation
 Oral objection by creditor

1. DOMESTIC SUPPORT OBLIGATION, (Recipient(s) data §1302(b)(6)):

Pending debtor's motion requesting entry of order requesting waiver regarding DSO information. Per debtor's motion he has no communication with one of his child's mother Ms. Norma Miranda Rivera nor his child. If Court grants debtor's motion, this will going to be an issue anymore.

2. DOMESTIC SUPPORT OBLIGATION, (Post-petition §1325(a)(8)): Debtor has 3 DSO account(s): \$1,100.00 monthly.

Per Bankruptcy Code, as of the confirmation hearing date, he must file evidence with the court of being current in the DSO payments that became due post-petition.

NOTE: Ask to debtor how much he pays for each account. Also, he has to address whether he has an account with Ms Norma Miranda and another one with one of his child Amilcar Norat Mirando or it is the same account for both. In one hand debtor requests DSO waiver as to Ms. Norma Miranda and in the other one debtor listed his child Amilcar Norat Miranda as a creditor, also, he includes his child postal address.

3. OTHER:

- a. Per Schedule "E" debtor listed postal address for Amilcar Norat Mirando. Does this is the child that debtor informs he has no contact in the motion requesting DSO Waiver?
- b. Part 4.3 of the plan disclose balance of atty fees paid pre-petition of \$750.00 with an outstanding balance of of \$2,250.00, however, per disclosure of compensation is \$500.00 with a balance of \$2,500.00. Trustee informs that per SOFA line 16 pre-petition fees paid by the debtor was \$500.00. Retainer was \$750.00

5. FAILS DISPOSABLE INCOME TEST, §1325(b)(1)(B):

Debtor works for his own corporation and receives weekly paychecks. His only payroll expenses are taxes. In the SCMI Form 122C-2 at line 43 debtor discloses business expenses of \$6,706.21. If this expense is eliminated case would have an unsecured pool of approximately \$213.97 by 60 months = \$12,838.20. Why is debtor entitle to claim business expenses of his corporation. Also, he is not provided evidence of incurring in such expenses.

The following party(ies) object(s) confirmation:

s/Elvis Cortes

Date: 08/01/2018

Trustee/Presiding Officer

(Rev. 05/13)